



THE CITY OF NEW YORK
LAW DEPARTMENT
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NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

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February 2, 2023

By ECF

Honorable Robert M. Levy
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Eric DeBerry v. City of New York, et al.
21-CV-5117 (LDH) (RML)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney for defendants the above-referenced action. Defendants write in response to the Court's Electronic Docket Order, dated February 1, 2023, directing counsel to meet and confer and submit a proposed subpoena with an agreed upon but expedited date for non-party Kareem Collins's deposition. Upon conferral with plaintiff's counsel, defendants submit the attached proposed subpoena to be so-ordered, commanding Mr. Collins's appearance for a deposition on Wednesday, February 8, 2023, at the Office of the Corporation Counsel at 10:30 a.m.

Defendants thank the Court for its time and consideration of this application.

Respectfully submitted,

Evan J. Gottstein /s/
Evan J. Gottstein
Assistant Corporation Counsel
Special Federal Litigation Division

cc: All Counsel of Record (via ECF)

UNITED STATES DISTRICT COURT

for the

Eastern District of New York



Eric DeBerry

Plaintiff

v.

The City of New York, Patricia Tufo, Ronald Barcus,
and John and Jane Does 1-25

Defendant

Civil Action No. 21 Civ. 5117 (LDH) (RLM)

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Kareem Collins

1370 Eastern Parkway, Apt. BA, Brooklyn, NY 11233

(Name of person to whom this subpoena is directed)

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place: New York City Law Department
100 Church Street, 4th Floor
New York, NY 10007

Date and Time:

02/08/2023 10:30 am

The deposition will be recorded by this method: Stenographic and audiovisual

☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____
The City of New York, Patricia Tufo, and Ronald Barcus _____, who issues or requests this subpoena, are:

Evan Gottstein, Assistant Corporation Counsel, 100 Church St., Rm. 3-189, egottste@law.nyc.gov, (212) 356-2262

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).